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EXAMINER
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MILLISER, THERON S

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* WILLIAM FRED MARTIN-OTTO, TIMOTHY  
SAMUEL FARROW, ALBERT VINCENT MAKLEY, and  
MARC RICHARD PAMLEY

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Appeal 2016-001458  
Application 13/430,363  
Technology Center 2800

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Before CHUNG K. PAK, CHRISTOPHER L. OGDEN, and BRIAN D.  
RANGE, *Administrative Patent Judges*.

RANGE, *Administrative Patent Judge*.

DECISION ON APPEAL

SUMMARY

Appellants<sup>1</sup> appeal under 35 U.S.C. § 134(a) from the Examiner's  
decision rejecting claims 1–18. We have jurisdiction. 35 U.S.C. § 6(b).  
We REVERSE.

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<sup>1</sup> According to the Appellants, the real party in interest is Lenovo Singapore  
Pte. Ltd. Appeal Br. 2.

## STATEMENT OF THE CASE

Appellants describe the invention as “generally relat[ing] to drive cages and wires.” Spec. ¶ 1. In particular, the Specification explains that a drive cage may include drive bays capable of receiving one or more drives. Spec. ¶¶ 15, 16, Fig. 3. Claims 1 and 12, reproduced below with emphasis added to certain key recitations, is illustrative of the claimed subject matter:

1. A drive cage comprising:
  - a base side and a top side that define altitude of the drive cage;
  - a front end and a back end that define longitude of the drive cage;
  - a lateral side disposed between the front end and the back end and between the base side and the top side;
  - drive bays wherein each drive bay extends longitudinally;**
  - a first wire bundle clip fixed to the top side that extends longitudinally to a free end; and
  - a second wire bundle clip fixed to the lateral side that extends altitudinally to a free end.
12. A system comprising:
  - one or more processors;
  - memory;
  - a power supply;
  - a drive cage that comprises
    - a base side and a top side that define altitude of the drive cage,
    - a front end and a back end that define longitude of the drive cage,
    - a lateral side disposed between the front end and the back end and between the base side and the top side, and

drive bays wherein each drive bay extends longitudinally;  
at least one drive disposed in one of the drive bays of the drive  
cage; and

**a wire bundle that extends from the power supply** towards  
the drive cage and that comprises a longitudinal to altitudinal  
bend along the lateral side of the drive cage for passage of the  
wire bundle to the top side of the drive cage.

Appeal Br.<sup>2</sup> 22 (Claims App'x).

#### REFERENCES

The Examiner relies upon the prior art below in rejecting the claims  
on appeal:

Albani et al. (hereinafter “Albani”)	US 5,835,346	Nov. 10, 1998
Matsusaka	US 2006/0024078 A1	Feb. 2, 2006
Boe	US 2007/0002530 A1	Jan. 4, 2007
ATX Speceification v. 2.2, Intel Corp., 2003-2004 (hereinafter “the ATX Specification”)		

#### REJECTIONS

The Examiner maintains the following rejections on appeal:

Rejection 1. Claims 1–10 under 35 U.S.C. § 102(b) as being  
anticipated by Boe. Final Act. 2.

Rejection 2. Claims 12–15 under 35 U.S.C. § 102(b) as being  
anticipated by Albani. *Id.* at 4.

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<sup>2</sup> In this decision, we refer to the Final Office Action mailed December 31, 2014 (“Final Act.”), the Appeal Brief filed June 30, 2015 (“Appeal Br.”), the Examiner’s Answer mailed September 17, 2015 (“Ans.”), and the Reply Brief filed November 17, 2015 (“Reply Br.”).

Rejection 3. Claim 11 under 35 U.S.C. § 103 as unpatentable over Boe and further in view of the ATX Specification. *Id.* at 7.

Rejection 4. Claims 16 and 17 under 35 U.S.C. § 103 as unpatentable over Albani and further in view of the ATX Specification. *Id.* at 8.

Rejection 5. Claim 18 under 35 U.S.C. § 103 as unpatentable over Albani and further in view of Matsuka. *Id.* at 9.

#### ANALYSIS

Rejections 1 and 3 (claims 1–11). The Examiner finds that Boe teaches each element of claim 1 and therefore, concludes that Boe anticipates claim 1. Final Act. 2–3. While the Examiner did not clearly indicate what part of the Boe disclosure corresponds with the “drive cage,” in the Answer, the Examiner clarified that the overall structure illustrated by Boe Figure 3 corresponds to the recited drive cage of claim 1. Ans. 4.

Appellants argue that Boe fails to disclose “a drive cage that includes drive bays,” Reply Br. 7, and we agree. The Examiner finds that the drive bays are disclosed by housing 335 of Boe Figures 1–3, and that Boe “recit[es] the housing of 3 and ½ inch drive along with multiple 3 and ½ and 5 and ¼ drives.” Final Act 2; Ans. 10–11. The Examiner does not provide citations relating to Boe having multiple “drive bays” except to Boe’s Figures, and we do not discern where Boe discloses that the overall structure of Boe Figure 3 is a drive cage that includes more than one drive bay. Nor has the Examiner directed us to persuasive support for the finding that housing 335 is a “drive bay.” Rather, the box shaped structure of Boe Figure 3 appears to be a housing for an electrical component such as a drive, and thus part of the drive itself, rather than being a “drive bay” in the ordinary meaning of that term and as contemplated by the Specification. *See*

Spec. Fig. 3. The Specification refers to drive bays as an example of “features,” in the drive cage, for “receipt of one or more [drives].” *See id.* ¶ 16.

With respect to the Examiner’s third rejection, the Examiner’s application of the ATX Specification with respect to claim 11 does not cure the issue discussed above. Final Act. 7. Therefore, for the reason explained above, we do not sustain the Examiner’s rejection of claims 1–11.

Rejections 2, 4, and 5 (claims 12–18). The Examiner finds that Albani teaches each element of claim 12 and therefore concludes that Albani anticipates claim 12. Final Act. 5. Appellants argue that Albani fails to teach “a wire bundle that extends from the power supply towards the drive cage and that comprises a longitudinal to altitudinal bend along the lateral side of the drive cage for passage of the wire bundle to the top side of the drive cage.” Appeal Br. 17.

The Examiner finds that wire bundle 38 as depicted in Figures 2 and 3 of Albani meet this limitation. Final Act. 5. Albani states that “Cables **38** then run between partition wall **20** and power supply **36**/hard drive **18**. . . .” Albani 3:29–33. Based on Albani’s Figure 2 and this text, it appears that cables 38 are a data cable (a cable that would not typically be attached to a power supply), and the text appears to be explaining that the cables 38 run in the physical gap between the partition wall 20 and the location of the power supply 36 and hard drive 18. Thus, a preponderance of the evidence does not support that Albani’s cable 38 is connected to Albani’s power supply or hard drive.

In contrast, claim 12 requires a “wire bundle that extends from the power supply” and, in view of the Specification, we construe this recitation

as requiring that the wire bundle be electrically connected to the power supply. *See* Spec. Fig. 2 (depicting wires attached to the power supply), Fig. 3 (depicting wire bundle 350 coming out of the power supply 320); ¶ 17 (explaining Figure 2 and stating that it illustrates wires “that may extend from the power supply 220”). A preponderance of the evidence does not support that Albani’s cable 38 meets this recitation.

With respect to the Examiner’s fourth and fifth rejections, the Examiner’s application of the ATX Specification and Matsuka do not cure this issue. Final Act. 8–10. We therefore do not sustain the Examiner’s rejection of claims 12–18.

#### DECISION

For the above reasons, we reverse the Examiner’s rejection of claims 1–18.

REVERSED